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# **FAX TRANSMISSION**

DATE: May 10, 2005 PTO IDENTIFIER: **Application Number** 10/613,977-Conf. #4344 **Patent Number** Inventor: Masami Miyawaki et al. MESSAGE TO: US Patent and Trademark Office **FAX NUMBER:** (703) 872-9306 FROM: DARBY & DARBY P.C. Chris T. Mizumoto PHONE: (212) 527-7700 Attorney Dkt. #: 02309/000N001-US0 PAGES (Including Cover Sheet): 8 CONTENTS: Amendment in Response to Office Action (4 pages) Amendment Transmittal (1 page) Transmittal Form (1 page) Certificate of Transmission (1 page)

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Application No. (if known): 10/613,977
Attorney Docket No.: 02309/000N001-US0

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| on | May 10, 2005                   | •                                       |
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| Re | gistration Number, if applicat | ole Telephone Number                    |

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Amendment in Response to Office Action (4 pages)
Amendment Transmittal (1 page)
Transmittal Form (1 page)
Fax coversheet to USPTO (1 page)

| Actions   Action   Ac | AMEN.   | DMENT I            | TRANSMI              | TTAL L         | ETTER                                 | Docket No.<br>02309/000N001-US0       |  |  |
|--|---|--------------------|----------------------|----------------|---------------------------------------|---------------------------------------|--|--|
| pilicant(s): Masami Miyawaki et al.  Vention: CONTAINER  TO THE COMMISSIONER FOR PATENTS  Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.  CLAIMS AS AMENDED    Claims   Remaining   Number   Extra Claims   Rate   Number   Previously   Present   Pre | Applicatio  | n No.              | Filing (             | Date           | Examiner                              | Art Unit                              |  |  |
| TO THE COMMISSIONER FOR PATENTS  Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.  CLAIMS AS AMENDED  Claims Remaining After Amendment Paid  Total Claims A 2 20 =  | 10/613,977-Cd   | onf. #4344         | July 3,              | <u> </u>       |                                       | 3714                                  |  |  |
| TO THE COMMISSIONER FOR PATENTS  ransmitted herewith is an amendment in the above-identified application.  he fee has been calculated and is transmitted as shown below.  CLAIMS AS AMENDED  CLAIMS AS AMENDED  Remaining After Previously Prate Claims Present Previously Previously Previously Previously Previously Present Previously P | plicant(s): Mas   | sami Miyawaki d    | et al.               |                |                                       |                                       |  |  |
| ransmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.  CLAIMS AS AMENDED  Claims Remaining Remaining Number Previously Extra Claims Present Previously Paid  Total Claims 4 - 20 = X  Independent 2 - 3 = X  Independent 2 - 3 = X  Independent Claims (check if applicable)  Other fee (please specify):  TOTAL ADDITIONAL FEE FOR THIS AMENDMENT: Small Entity  X No additional fee is required for this amendment.  Please charge Deposit Account No. in the amount of \$ A duplicate copy of this sheet is enclosed.  A check in the amount of \$ to cover the filling fee is enclosed.  Payment by credit card. Form PTO-2038 is attached.  X The Director is hereby authorized to charge and credit Deposit Account No. 04-0100 as described below. A duplicate copy of this sheet is enclosed.  X Credit any overpayment.  X Charge any admitoral filling or application processing fees required under 37 CFR 1.16 and 1.17  Dated: May 10, 2005  Charge Any admitoral filling or application processing fees required under 37 CFR 1.16 and 1.17  Dated: May 10, 2005  Charge Any Admitorion Attorney Reg. No.: 42,899  DARBY & DARBY P.C. P.O. Box 5257  New York, New York 10150-5257   | vention: CONT/  | AINER              |                      |                |                                       |                                       |  |  |
| Claims As AMENDED  Claims Highest Remaining After Previously Amendment Previously Paid Present Previously Amendment 2 - 3 =  |   |                    |                      |                |                                       |                                       |  |  |
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| Remaining After Previously Present   Total Claims   4   |   |                    | ČLAIM                | S AS AMENI     | DED                                   | · · · · · · · · · · · · · · · · · · · |  |  |
| Independent Claims  Multiple Dependent Claims (check if applicable)  Other fee (please specify):  TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:  X No additional fee is required for this amendment.  Please charge Deposit Account No. in the amount of \$  A duplicate copy of this sheet is enclosed.  A check in the amount of \$  Payment by credit card. Form PTO-2038 is attached.  X The Director is hereby authorized to charge and credit Deposit Account No. 04-0100  as described below. A duplicate copy of this sheet is enclosed.  X Credit any overpayment.  X Charge any and fonal filling or application processing fees required under 37 CFR 1.16 and 1.17  Class X Mizamoto  Attorney Reg. No.: 42,899  DARBY & DARBY P.C. P.O. Box 5257  New York, New York 10150-5257  |   | Remaining<br>After | Number<br>Previously | Extra Claims   | Rate                                  |                                       |  |  |
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| Multiple Dependent Claims (check if applicable)  Other fee (please specify):  TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:  O.00  X Large Entity  No additional fee is required for this amendment.  Please charge Deposit Account No. in the amount of \$  A duplicate copy of this sheet is enclosed.  A check in the amount of \$  Payment by credit card. Form PTO-2038 is attached.  X The Director is hereby authorized to charge and credit Deposit Account No. 04-0100 as described below. A duplicate copy of this sheet is enclosed.  X Credit any overpayment.  X Charge any additional filling or application processing fees required under 37 CFR 1.16 and 1.17  Compart. Mizefmoto Attorney Reg. No.: 42,899  DARBY & DARBY P.C. P.O. Box 5257  New York, New York 10150-5257   | u •   | 2                  | - 3 =                |                | ×                                     |                                       |  |  |
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| Attorney Reg. No.: 42,899  DARBY & DARBY P.C. P.O. Box 5257  New York, New York 10150-5257   |   |                    |                      |                | Dated:                                | May 10, 2005                          |  |  |
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| New York, New York 10150-5257  |   |                    |                      |                |                                       |                                       |  |  |
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Date

May 10, 2005

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Application Number 10/613,977-Conf. #4344 Filing Date July 3, 2003 TRANSMITTAL First Named Inventor Masami Miyawaki **FORM** Art Unit 3714 (to be used for all correspondence after initial filing) Examiner Name B. B. Miller Total Number of Pages in This Submission Attorney Docket Number 02309/000N001-US0 8 ENCLOSURES (Check all that apply) Fee Transmittal Form Drawing(s) After Allowance Communication to TC Fee Attached Appeal Communication to Board of Licensing-related Papers Appeals and Interferences x Amendment/Reply Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) Petition Petition to Convert to a Proprietary Information After Final Provisional Application Power of Attorney, Revocation Change of Correspondence Address Affidavits/declaration(s) Status Letter X Other Enclosure(s) (please **Extension of Time Request** Terminal Disclaimer Identify below): Express Abandonment Request Request for Refund Amendment Transmittal (1 pg.); Fax Coversheet to USPTO (1 pg.); and Certificate of Transmission (1 Information Disclosure Statement CD, Number of CD(s) pg.) Certified Copy of Priority Landscape Table on CD Document(s) Reply to Missing Parts/ Remarks Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name Signature Printed name Chris T. Mizumoto

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| PAGE 4/8 * RCVD AT 5/10/2005 11:05:09 AM [Eastern Daylight TI | me] * SVR:USPTO-EFXRF-1/0 * DNIS:8729306 | * CSID:2127536237 * DURATION (mm-ss):02-14 |

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Docket No.: 02309/000N001-U30

(PATENT)

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Masami Miyawaki et al.

Application No.: 10/613,977

Confirmation No.: 4344

Filed: July 3, 2003

Art Unit: 3714

For: CONTAINER

Examiner: B. B. Miller

### AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION

MS Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

#### INTRODUCTORY COMMENTS

In response to the Office Action dated March 16, 2005, please amend the aboveidentified U.S. patent application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 4 of this paper.